

ATTACHMENT 31

1401 I Street, NW
Suite 400
Washington, DC 20005



December 9, 2002

Via Hand Delivery

Mr. Peter G. Wolfe (3-A101)
Senior Attorney
Federal Communications Commission
Enforcement Bureau
Telecommunications Consumers Division
445 12th Street, S.W., Room 3-A101
Washington, DC 20554

RECEIVED - FCC

DEC - 9 2002

Federal Communication Commission
Bureau / Office

Re: Request for Information dated November 20, 2002 - Fred Michaels

Dear Mr. Wolfe:

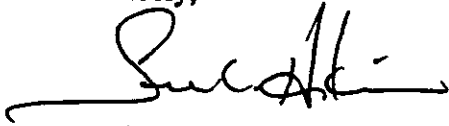
Enclosed please find SBC's response to the above-referenced Request for Information dated November 20, 2002 from Colleen Heitkamp, Chief, Telecommunications Consumers Division to Toni Acton of SBC Communications, Inc.

As part of this response, I am providing the verification of Brenda K. Wilson of SBC Southwestern Bell - Missouri. SBC provides this declaration under protest and without prejudice to its contention that the Enforcement Bureau has no authority either to compel sworn testimony absent a subpoena or to impose additional costs on SBC for seeking review of a contested point of law. *See Response of SBC Communications Inc. to Notice of Apparent Liability for Forfeiture*, File No. EB-01-IH-0642, NAL/Acct. No. 200232080001.

As detailed in the attached request for confidentiality, SBC requests confidential treatment of certain materials and information provided herein.

If you have any questions about this response, you should feel free to contact either Jacquelyne Flemming, Executive Director - Federal Regulatory (202/326-8803) or Terri Hoskins, Attorney (202/326-8893).

Sincerely,



Terri L. Hoskins
Attorney

Enclosures

Cc: Colleen Heitkamp (w/o enclos.)
Chief, Telecommunications Consumers Division
Enforcement Bureau
Federal Communications Commission

SBC RESPONSE TO REQUEST INFORMATION
ACCOUNT INFORMATION OF FRED MICHAELS

Question 1a-c:

During the period from April 1, 2002 to the present, did any carriers submit or execute an order to change the preferred carrier of Fred Micheals, 636-479-4324?

a. Specify the name of the carrier who submitted or executed the change.

b. Specify the nature of the service(s) changed, e.g., local exchange, intraLATA/intrastate toll, intraLATA/interstate toll, interstate toll, international, and provide the precise date (month/day/year) that each change was submitted or executed for Mr. Michaels.

c. State who authorized the change in service and the manner in which the authorization was made, and provide all documents and information relating to the authorization.

Answer:

On April 24, 2002, SBC Southwestern Bell received a carrier tape from Qwest Communications changing Mr. Micheals' interLATA Preferred Interexchange Carrier (PIC) and intraLATA Preferred Interexchange Carrier (LPIC) from, AT&T Long Distance (0288-ATX) to Qwest Communications (0432-LGT).

SWBT received a carrier tape from AT&T on May 1, 2002 changing Mr. Micheals' PIC and LPIC from Qwest Communications (0432-LGT) to AT&T Long Distance (0288-ATX).

On May 6, 2002, SWBT received a carrier tape from Quest Communications changing the customer's PIC and LPIC from AT&T Long Distance (0288-ATX) to Quest Communications (0432-LGT).

SWBT records reflect on May 14, 2002, Mr. Paul Michaels, the customer's son, contacted SWBT and advised the account had been slammed. At the customer's request, an order (C882767) was issued to change the PIC and LPIC to AT&T Long Distance (0288-ATX). The due date on the order was May 15, 2002.

Question 1d:

Specify the exact amount of all charges billed to Mr. Michaels' account and the exact amount of any adjustments credits, refunds or other type of financial reimbursement that were given to the complainant. Also specify any charges SBC or any subsidiaries or affiliates may have billed the consumers for changing carriers and whether these charges were adjusted or refunded. If no adjustments or refunds were made, explain why the charges were sustained. SWBT records reflect on May 14, 2002, a credit was issued in the amount of \$23.94 for the PIC and LPIC change charges. In addition, \$39.29 was removed from the customer's SWBT bill and recoured to Qwest, 0432-LGT, for charges appearing on the customer's May 3, 2002, SWBT bill.

SBC RESPONSE TO REQUEST INFORMATION
ACCOUNT INFORMATION OF FRED MICHAELS

SWBT records reflect on July 9, 2002, charges totaling \$7.61 were removed from the customer's SWBT bill and recoured to Qwest, 0432-LGT, for charges appearing on the customer's June 3, 2002, SWBT bill.

SWBT records reflect the account was reviewed on July 12, 2002, and no additional charges had been billed from Qwest, 0432-LGT.

See documents 000110 – 000128.

636 479 4324 11

FRED D MICHAELIS

0514

TT MRS GVE PERM TT SON PAUL --HE SD CUST THOUGHT SHE WAS WITH
SBLD --ADV NO SD DDNT AUTH THE CHANGES ON ALL THE DATES TRNFR
DEPT

0514 FOLO 051579TNA MULTI SLAM, 4/24 UNAUTH 0432-LGT & 5/6 UNAUTH
0432-LGT, AUTH FOR BTH WS ATT, RELS FOR 5/6 SLAM ON C ORDR, WL
ND NOTIF FOR 4/24 SLAM, HV ADJSTD ALL CHRGS BLD SO FAR

000110

636 479 4324

FRED D MICHAELIS

C882767 DD 05-15-02 LPIC 0432-LGT TO 0288-ATX PIC 0432-LGT TO
0288-ATX 636 479-4324 T/W PAUL MICHAELIS MR 16.26 RMK CHNG SK
TO ATT PER CUST SLMM D DSL NO SBLD OFFERED N

0515 061194TNA 1ST FU TO ADJ UNAUTH 0432-LGT P/LP FRM 4-24 TO 5-15
***** FU FOR EXEC CMPLNT

000111

636 479 4324
FRED D MICHAELIS

000112

FRID D MICHAELIS

<<Other Charges

Item

Explanation

- 1 As of Apr 24, you have selected a new long distance calling carrier (Non-Recurring Toll) for 636-479-4324
- 2 As of Apr 24, you have selected a new local toll calling carrier

000113

2025/223

10:202 408 4805

214-201-3399

EC-09-2002 16:03 FROM:EXECUTIVE-APPENDIX

- (Non-Recurring Toll) for 636-479-4324
- 3 As of May 01, you have selected a new long distance calling carrier (Non-Recurring Toll) for 636-479-4324
- 4 As of May 01, you have selected a new local toll calling carrier (Non-Recurring Toll) for 636-479-4324
- 5 As of May 06, you have selected a new long distance calling carrier (Non-Recurring Toll) for 636-479-4324
- 6 As of May 06, you have selected a new local toll calling carrier (Non-Recurring Toll) for 636-479-4324
- [REDACTED]
- [REDACTED]
- [REDACTED]

000114

000115

FRED D MICHAEL

12

000117

000-670 -

000-624 000 00

0000-100-010

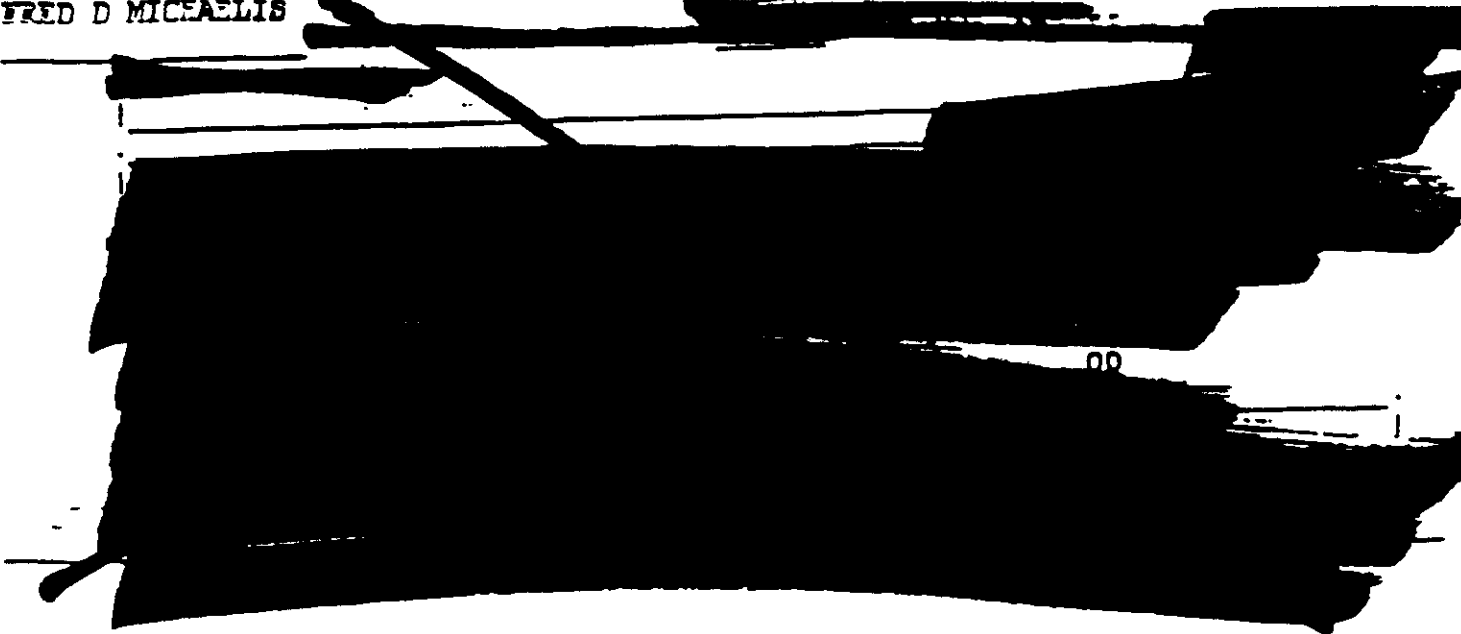
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000118



000119

FRED D MICHAELIS



000120

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636 479 4324

FRED D MICHAELIS

<<Other Charges

Item

Explanation

- 1 As of May 15, you have selected a new long distance calling carrier (Non-Recurring Toll) for 636-479-4324
- 2 As of May 15, you have selected a new local toll calling carrier

000121

FRED D MICHAELIS



000122

100-1-1

100-1-1

100-1-1

100-1-1

FRED D MICHAELIS

Total Itemized Calls for USBI (before taxes)

28.0

7.00

000124

1-09-2002 16:05

FROM:EXECUTIVE-4-PEELIS

24-101-9886

10-222 108 4035

836 479 4324
FRED D MICHAELIS

<<Monthly Statement

Adjustments: USBI

7.61c

000125

5084 007 00010

5555-122-412

5745224-3711003X81W022 50:91 2002-60-1



000126

000127

FRED D MICHAELIS

FedEx

000128

[illegible]

000. 00. 000 00

1980	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062	2063	2064	2065	2066	2067	2068	2069	2070	2071	2072	2073	2074	2075	2076	2077	2078	2079	2080	2081	2082	2083	2084	2085	2086	2087	2088	2089	2090	2091	2092	2093	2094	2095	2096	2097	2098	2099	2100	2101	2102	2103	2104	2105	2106	2107	2108	2109	2110	2111	2112	2113	2114	2115	2116	2117	2118	2119	2120	2121	2122	2123	2124	2125	2126	2127	2128	2129	2130	2131	2132	2133	2134	2135	2136	2137	2138	2139	2140	2141	2142	2143	2144	2145	2146	2147	2148	2149	2150	2151	2152	2153	2154	2155	2156	2157	2158	2159	2160	2161	2162	2163	2164	2165	2166	2167	2168	2169	2170	2171	2172	2173	2174	2175	2176	2177	2178	2179	2180	2181	2182	2183	2184	2185	2186	2187	2188	2189	2190	2191	2192	2193	2194	2195	2196	2197	2198	2199	2200	2201	2202	2203	2204	2205	2206	2207	2208	2209	2210	2211	2212	2213	2214	2215	2216	2217	2218	2219	2220	2221	2222	2223	2224	2225	2226	2227	2228	2229	2230	2231	2232	2233	2234	2235	2236	2237	2238	2239	2240	2241	2242	2243	2244	2245	2246	2247	2248	2249	2250	2251	2252	2253	2254	2255	2256	2257	2258	2259	2260	2261	2262	2263	2264	2265	2266	2267	2268	2269	2270	2271	2272	2273	2274	2275	2276	2277	2278	2279	2280	2281	2282	2283	2284	2285	2286	2287	2288	2289	2290	2291	2292	2293	2294	2295	2296	2297	2298	2299	2300	2301	2302	2303	2304	2305	2306	2307	2308	2309	2310	2311	2312	2313	2314	2315	2316	2317	2318	2319	2320	2321	2322	2323	2324	2325	2326	2327	2328	2329	2330	2331	2332	2333	2334	2335	2336	2337	2338	2339	2340	2341	2342	2343	2344	2345	2346	2347	2348	2349	2350	2351	2352	2353	2354	2355	2356	2357	2358	2359	2360	2361	2362	2363	2364	2365	2366	2367	2368	2369	2370	2371	2372	2373	2374	2375	2376	2377	2378	2379	2380	2381	2382	2383	2384	2385	2386	2387	2388</
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STANDARD FORM NO. 52-51 2002-60-120

ATTACHMENT 32



March 7, 2003

Via Hand Delivery

Mr. Peter G. Wolfe
Senior Attorney
Enforcement Bureau
Federal Communications Commission
445 12th Street, S.W., Room 3-A101
Washington, DC 20554

RECEIVED - FCC

MAR - 7 2003

Federal Communication Commission
Bureau / Office

**Re: Request for Information dated November 20, 2002 relating to changes
To Fred Michaels' Preferred Carrier**

Dear Mr. Wolfe:

Per our conversation of March 7, 2003 and my letter of January 31, 2003, attached please find a copy of the version of SBC's December 9, 2002 response to the Enforcement Bureau's Request for Information in the above referenced matter. SBC does not request confidential treatment of the response in the attached redacted form

If you have any questions regarding the attached, you should feel free to contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read "Miguel Lopez", is written over a horizontal line.

Attachments

Cc: Ms. Colleen K. Heitkamp
Federal Communications Commission
Enforcement Bureau
Telecommunications Consumers Division

ATTACHMENT 33

May 03, 2002

Southwestern Bell

Monthly Statement

QUEST
39.29
23.92 CHG.

18.66
PAY

Previous Charges and Credits

Amount of Last Bill 18 69
Payments Applied: 04-26-02 18 69cr
Thank You .00

Summary of Current Charges

SWBell Telephone (See Page 3) 39 28
USBI (See Page 7) 37 05

Taxes

Total Federal Tax 2 25
Total State and Local Taxes 3 31

Current Charges Due by May 31 81.89

Total Amount Due

81.89

Important Information

- Receipt of the full amount of your bill by the due by date is appreciated. Thank you for choosing SBC Southwestern Bell.
- AVOID DISCONNECTION:** All of the charges must be paid each month to keep your account current and avoid collection activities. However, certain charges **MUST** be paid in order to avoid disconnection of basic local service. Currently, for this account that amount is \$10.26 (See Page 2 for explanation).
- If charges greater than \$5.00 are carried over to your next bill, a \$1.60 late payment charge will apply.
- On your main line your Long Distance provider is Qwest Communications.
- Your Local Toll provider is Qwest Communications.
- If your providers have changed since your last bill, check

Please detach and mail this
portion with your payment

Account Number
636-479-4324-115-2



Mail Payment To

PO BOX 630059
DALLAS TX 75263-0059



1061 5 158 31509 1 AV 0 255

FRED D MICHAELIS
9976 WOODLAND RD
HILLSBORO MO 63050-3925



Bill Date
May 03, 2002

"Keep"
"Send"

Amount Due	81.89
Due Date	May 31

Make Checks
Payable To
Southwestern Bell

May 03

Imports
(Conbr)

Whom

Billing
SWBelSWBel
Billing
1-800-

9759 6364794324 1152 07090722 7700000000000 000008189 10

all

SWBell Telephone	For Billing Questions	1-800-585-7928
	For Payment Arrangements or Late Payments	1-800-616-1171
	To Place an Order or Change Service	1-800-464-7928
	For Repair Services	1-800-246-8464

SWBell Website: www.swbell.com

USBI	For Billing Questions	1-888-480-8724
------	-----------------------------	----------------

IF
Telephone**MONTHLY CHARGES - May 03 thru Jun 02**

Local Charges	39.28
----------------------	--------------

Basic Local Service Charges and Fees	17.29
Basic Local Service	9.43
Mandatory Expanded Local Calling83
Number Portability Service Charge33
Federal Universal Service Fee50
Federal End User Common Line Charge	5.00
Special E911 Tax	1.11
Relay Missouri Surcharge09
Non-Recurring Local Charges (See Other Charges Section)	21.99

Toll Charges	.00
---------------------	------------

Non-Recurring Toll Charges (See Other Charges Section)	00
--	----

SWBell Telephone Current Charges Subtotal (before taxes)	39.28
---	--------------

Taxes	3.32
--------------	-------------

Federal Tax (Local Charges)	1.14
Federal Tax (Non-Regulated & Toll Charges)	00
State and Local Taxes (Local Charges)	2.18
State and Local Taxes (Non-Regulated & Toll Charges)	00

Telephone
Questions:
1-85-7928

SWBell Telephone Total Current Charges (including taxes)	42.60
---	--------------

30.

• Current Charges

Monthly Service (See Detail)

Itemized Calls (See Items 1 thru 3)	1975
---	------

Itemized Charges (See Items 4 thru 7)	17 30
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► USBI Current Charges (before taxes)

37.05

**Questions
80-8724**

Federal Tax	1.11
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State and Local Taxes	1 13
----------------------------	----------	------

1 Calls

<u>Item</u>	<u>Date</u>	<u>Time</u>	<u>Place Called</u>	<u>Area Number</u>	<u>Rate*</u>	<u>Min</u>	<u>Amount</u>
-------------	-------------	-------------	---------------------	--------------------	--------------	------------	---------------

Calls from 636-479-4324

Billed on Behalf of: Business Options Inc**

1	04/24	08:29PM	KEARNEY	MO	816 628-4503	E	10	25	#3
---	-------	---------	---------	----	--------------	---	----	----	----

1	04/24	08:28 PM	KEARNEY	MO	816	628-4503	E	27 0	6 75	#3
---	-------	----------	---------	----	-----	----------	---	------	------	----

3	04/28	09 25PM	KEARNEY	MO	816 628-4503	N	51 0	12 75	#3
---	-------	---------	---------	----	--------------	---	------	-------	----

► Total Itemized Calls for USBI (before taxes)	79.0	19.75
--	------	-------

* * New services provided and billed

1 Charges

<u>Item</u>	<u>Date</u>	<u>Service</u>
-------------	-------------	----------------

Amount

Charges for 636-479-4324

► Billed on Behalf of: Business Options Inc

4 04/30 FEDERAL UNIVERSAL SERVICE FUND 3 75

5	04/30	CALLING PLAN MONTHLY FEE	4.90
---	-------	--------------------------	------

6 05/02 FEDERAL UNIVERSAL SERVICE FUND 375

6	05/02	FEDERAL UNIVERSAL SERVICE FUND	
7	05/02	CALLING PLAN MONTHLY FEE	4 90

Total Itemized Charges for USBI (before taxes) **17.30**

1888-225 5322 FCC

Short-cut

- n. 1) A more direct route than the ordinary.
2) A means of saving time or effort. 3) SBC On-Line Billing & Payment Service.

> Redefine how you pay your phone bill with On-Line Billing & Payment Service. It's convenient, secure and FREE! Now you can view, pay and print your phone bill without stamps, paper or hassle.



Plus, you can sign up for the FREE SBC *up2speed* e-mail newsletter and e-mails that tell you about current promotions, tips, shopping offers and more. Not to mention, you could win one of our great prizes, including a fully-loaded IBM® NetVista X41 Integrated flat panel PC suite!

Just check the appropriate boxes below, then tear off the form and drop it back in your return envelope. We'll do the rest. If you're already paying your phone bill online and want the *up2speed* e-mail newsletter, simply check the middle box below when completing the form. You'll be signed up for the newsletter and entered in the sweepstakes.

On-Line Billing & Payment Service and the *up2speed* e-mail newsletter are FREE! So sign up today by filling out the form below.



On-Line Billing & Payment Service is free through the www.sbc.com Web site. However, customers who choose to use a different site (i.e. financial institutions and portable service providers) are responsible for any service fees that may apply. All other trademarks are the property of their respective owners. Sweepstakes ends 7/31/02. No purchase or online subscription necessary. For official sweepstakes rules go to www.trustee.com/offers/sweepstakes/rules.jsp and a toll-free stamped envelope to SBC Communications 17500 San Pedro, P.O. Box 64-05, San Antonio, TX 78216. SBC Southwestern Bell is a trademark of SBC Communications Inc. © 2002 SBC Southwestern Bell Telephone Company. All rights reserved.

Please detach and return

Account Number
636-479-4324-115-2

Bill Date
May 03, 2002

- (Check all that apply)
- ☐ Yes! Sign me up for the FREE On-Line Billing & Payment Service and enter me in the SBC Power Up Sweepstakes.
 - ☐ Yes! I would like to get the FREE *up2speed* e-mail newsletter and product messages delivered straight to my inbox with the latest technology news, telephone tips and special offers. And enter me in the SBC Power Up Sweepstakes.
 - ☐ Just enter me in the SBC Power Up Sweepstakes. Visit www.swbell.com/offersweepstakes/rules for Official Rules.

(Mandatory)

Name _____
Phone Number (h) _____ (w) _____
Address _____
My e-mail address _____
Signature _____

LETTER 11/11/02
DESCRIBE WHAT HAPPEN
ENCLOSE COPY OF BILL

May 11
405
2055-1
SBC Power Up Sweepstakes